

2003 DRAFTING REQUEST**Bill**Received: **12/30/2003**Received By: **mkunkel**Wanted: **As time permits**

Identical to LRB:

For: **John Gard (608) 266-3387**By/Representing: **Bryon Wornson**This file may be shown to any legislator: **NO**Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Public Util. - energy**
Public Util. - misc.Extra Copies: **CMH**Submit via email: **YES**Requester's email: **Rep.Gard@legis.state.wi.us**Carbon copy (CC:) to: **laura.rose@legis.state.wi.us**
daryl.hinz@legis.state.wi.us

Pre Topic:

No specific pre topic given

Topic:

Strategic energy assessment timelines

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 12/30/2003	kgilfoy 12/30/2003					State
/1			chaugen 01/05/2004		sbasford 01/05/2004	Inorthro 01/05/2004	

01/05/2004 03:33:51 PM

Page 2

FE Sent For:

<END>

At
intro.

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01/05/2004 02:09:07 PM

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/?	mkunkel	1-12/30 kmg	ch 1-5-03	ch 1-5 plb			

FE Sent For:

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2003

Date (time)
needed

TUES
1/6
pm

LRB-3954 1 1

BILL

MDK:Kmg:

RM
NOT
RUN

Use the appropriate components and routines developed for bills.

AN ACT... [generate catalog] *to repeal ... ; to renumber ... ; to consolidate and renumber ... ; to renumber and amend ... ; to consolidate, renumber and amend ... ; to amend ... ; to repeal and recreate ... ; and to create ...* of the statutes; relating to: *strategic energy assessments.*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

INSERT A ✓

FE-S ✓

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION #.

INSERT B ✓

(End)

1 - SEPT 9 ✓

administrative hearing is removed to a court, that court is required by the bill to review the evidence and examine witnesses, independent of DNR's evidence review and witness examination.

~~STRATEGIC ENERGY ASSESSMENTS~~

Current law requires the Public Service Commission (PSC) to prepare a strategic energy assessment every two years that evaluates the adequacy and reliability of the state's electricity supplies. An assessment must describe, among other things, large electric generating facilities and high-voltage transmission lines on which utilities plan to begin construction within three years. The bill requires an assessment to describe large electric generating facilities and high-voltage transmission lines on which utilities plan to begin construction within seven years, rather than three years. → This ✓

~~PARTIAL DEREGULATION OF TELECOMMUNICATIONS SERVICES~~

Under current law, a person may petition the PSC to begin proceedings for determining whether to partially deregulate certain telecommunications services. The PSC may also begin such proceedings on its own motion. If the PSC makes certain findings regarding competition for such telecommunications services, the PSC may issue an order suspending specified provisions of law. Current law does not impose any deadlines on such proceedings.

The bill requires the PSC to complete the proceedings no later than 120 days after a person files a petition. In addition, if the PSC begins proceedings based on its own motion, the proceedings must be completed no later than 120 days after the PSC provides notice of its motion. If the PSC fails to complete the proceedings and, if appropriate, issue an order within the deadline, the bill provides for the suspension of any provisions of law that are specified in the petition or in the PSC's motion.

~~UTILITY PUBLIC BENEFITS FUND~~

Under current law, certain electric and gas utilities are required to make contributions to the PSC in each fiscal year. The PSC deposits the contributions in the utility public benefits fund (fund), which also consists of monthly fees paid by utility customers. The fund is used by DOA to make grants for low-income assistance, energy conservation and efficiency, environmental research and development, and renewable resource programs. The amount that each utility must contribute to the PSC is the amount that the PSC determines that the utility spent in 1998 on its own programs that are similar to the programs awarded grants by DOA.

Under this bill, the PSC may allow a utility to retain a portion of the amount that it is required to contribute in each fiscal year under current law. However, the PSC may allow a utility to do so only if the PSC determines that the portion is used by the utility for energy conservation programs for industrial, commercial, and agricultural customers in the utility's service area. Also, the programs must comply with rules promulgated by the PSC. The rules must specify annual energy savings targets that the programs must be designed to achieve. The rules must also require a utility to demonstrate that, within a reasonable period of time determined by the PSC, the economic benefits of such a program will be equal to the portion of the contribution that the PSC allows the utility to retain. If the PSC allows a utility to

END of INSERT A

INSERT B

1 (c) A utility may not pay for any expenses related to administration, marketing,
2 or delivery of services for programs specified in par. (a) from any portion of a
3 contribution the utility is allowed to retain under par. (a).

4 **SECTION 168.** 196.491 (1) (d) of the statutes is amended to read:

5 196.491 (1) (d) "Electric utility" means any public utility, as defined in s.
6 196.01, which is involved in the generation, distribution and sale of electric energy,
7 and any corporation, company, individual or association, and any cooperative
8 association, which owns or operates, or plans within the next 3 7 years to construct,
9 own or operate, facilities in the state.

10 **SECTION 169.** 196.491 (2) (a) 3. of the statutes is amended to read:

11 196.491 (2) (a) 3. Identify and describe large electric generating facilities on
12 which an electric utility plans to commence construction within 3 7 years.

13 **SECTION 170.** 196.491 (2) (a) 3m. of the statutes is amended to read:

14 196.491 (2) (a) 3m. Identify and describe high-voltage transmission lines on
15 which an electric utility plans to commence construction within 3 7 years.

16 **SECTION 171.** 196.491 (2) (g) of the statutes is amended to read:

17 196.491 (2) (g) No sooner than 30 and no later than 90 days after copies of the
18 draft are issued under par. (b), the commission shall hold a hearing on the draft
19 which may not be a hearing under s. 227.42 or 227.44. The hearing shall be held in
20 an administrative district, established by executive order 22, issued
21 August 24, 1970, which the commission determines will be significantly affected by
22 facilities on which an electric utility plans to commence construction within 3 7
23 years. The commission may thereafter adjourn the hearing to other locations or may
24 conduct the hearing by interactive video conference or other electronic method.
25 Notice of such hearing shall be given by class 1 notice, under ch. 985, published in

INSERT B (cont'd)

1 the official state newspaper and such other regional papers of general circulation as
2 may be designated by the commission. At such hearing the commission shall briefly
3 describe the strategic energy assessment and give all interested persons an
4 opportunity, subject to reasonable limitations on the presentation of repetitious
5 material, to express their views on any aspect of the strategic energy assessment.
6 A record of the hearing shall be made and considered by the commission as comments
7 on the strategic energy assessment under par. (e).

8 **SECTION 172.** 221.0901 (3) (a) 1. of the statutes is amended to read:

9 221.0901 (3) (a) 1. Merge or consolidate with an in-state bank holding company
10 or in-state bank.

11 **SECTION 173.** 221.0901 (8) (a) and (b) of the statutes are amended to read:

12 221.0901 (8) (a) Except as provided in pars. (b) and (c), the division may not
13 approve an application ~~by an out-of-state bank holding company~~ under sub. (3) (a).
14 other than an application by an in-state bank holding company or in-state bank.
15 unless the in-state bank to be acquired, or all in-state bank subsidiaries of the
16 in-state bank holding company to be acquired, have as of the proposed date of
17 acquisition been in existence and in continuous operation for at least 5 years.

18 (b) ~~The Except as otherwise provided in this paragraph, the~~ division may
19 approve an application under sub. (3) (a) for an acquisition of an in-state bank
20 holding company that owns one or more in-state banks that have been in existence
21 for less than 5 years, if the ~~out-of-state bank holding company~~ applicant divests
22 itself of those in-state banks within 2 years after the date of acquisition of the
23 in-state bank holding company by the ~~out-of-state bank holding company~~
24 applicant. This paragraph does not apply if the applicant is an in-state bank holding
25 company or in-state bank.

END of INSERT B

Northrop, Lori

From: Nowak, Ellen
Sent: Monday, January 05, 2004 2:35 PM
To: LRB.Legal
Subject: Draft review: LRB 03-3954/1 Topic: Strategic energy assessment timelines

It has been requested by <Nowak, Ellen> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 03-3954/1 Topic: Strategic energy assessment timelines